

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

LLEWELLYN GEORGE (02-a-0092),

Plaintiff,

v.

ORDER
05-CV-575A

T. RAMSAY, et al.,

Defendants.

The above-referenced case was referred to Magistrate Judge Jeremiah J. McCarthy, pursuant to 28 U.S.C. § 636(b)(1)(B). On January 18, 2008, Magistrate Judge McCarthy filed a Report and Recommendation, recommending that the portion of plaintiff's motion seeking dismissal of the Amended Answer is denied and that the portion of plaintiff's motion seeking appointment of counsel also be denied.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge McCarthy's Report and Recommendation, the portion of plaintiff's motion seeking dismissal of the Amended Answer is denied and the portion of plaintiff's motion seeking appointment of counsel is also denied.

The case is referred back to Magistrate Judge McCarthy for further proceedings.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

DATED: March 7, 2008